

July 26, 2016

Margaret M. Fox

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Ms. Jocelyn Boyd Chief Clerk and Administrator South Carolina Public Service Commission Synergy Business Park, The Saluda Building 101 Executive Center Drive Columbia SC 29210

Re: Application of SBA DAS & Small Cells, LLC for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Local Exchange and Interexchange Telecommunications Services in the State of South Carolina and for Flexible Regulation

Docket No. 2016-249-C

Dear Ms. Boyd:

Enclosed for filing on behalf of the South Carolina Telephone Coalition (the "Coalition"), please find a Stipulation for filing in the above-referenced docket. By copy of this letter and Certificate of Service all parties of record will receive a copy of this Stipulation via the U. S. Postal Service.

Thank you for your assistance.

Sincerely,

McNAIR LAW FIRM, P.A.

Maynut a. Fax

Margaret M. Fox

MMF:khh Enclosure McNAIR LAW FIRM, P.A. 1221 Main Street Suite 1600 Columbia, SC 29201

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BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket No. 2016-249-C

Re:	Application of SBA DAS & Small Cells,)	
	LLC for a Certificate of Public)	
	Convenience and Necessity to Provide)	STIPULATION
	Resold and Facilities-Based Local)	
	Exchange and Interexchange)	
	Telecommunications Service and for)	
	Flexible Regulation)	
)	

The South Carolina Telephone Coalition ("SCTC") (see attachment "A" for list of companies) and SBA DAS & Small Cells, LLC ("Applicant") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, SCTC does not oppose Applicant's Application. SCTC and Applicant stipulate and agree as follows:

- 1. SCTC does not oppose the granting of a statewide Certificate of Public Convenience and Necessity to Applicant, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.
- 2. Applicant stipulates and agrees that any Certificate which may be granted will authorize Applicant to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.
- 3. Applicant stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.

- 4. Applicant stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in a rural incumbent LEC's service area, unless and until Applicant provides such rural incumbent LEC and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, the rural incumbent LEC will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, Applicant acknowledges that the Commission may suspend the intended date for service in rural LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.
- 5. Applicant stipulates and agrees that, if Applicant gives notice that it intends to serve a customer located in a rural incumbent LEC's service area, and either (a) the Commission receives a Petition from the rural incumbent LEC to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then Applicant will not provide service to any customer located within the service area in question without prior and further Commission approval.
- 6. Applicant acknowledges that any right which it may have or acquire to serve a rural telephone company service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.
- 7. The parties stipulate and agree that all rights under Federal and State law are reserved to the rural incumbent LECs and Applicant, and this Stipulation in no way suspends or

adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.

- 8. Applicant agrees to abide by all State and Federal laws and to participate, to the extent it may be required to do so by the Commission, in the support of universally available telephone service at affordable rates.
- 9. Applicant hereby amends its application and its prefiled testimony in this docket to the extent necessary to conform with this Stipulation.
- 10. Notwithstanding any provision contained herein, the terms, conditions and limitations of the Stipulation apply only in those instances where a rural telephone company's federal exemption under 47 U.S.C. §251(f)(1) is implicated.

AGREED AND STIPULATED to this 25 day of July , 2016.

SBA DAS & Small Cells, LLC

South Carolina Telephone Coalition

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Attorneys for the South Carolina Telephone Coalition

ATTACHMENT A

South Carolina Telephone Coalition Member Companies for Purposes of Local Service Stipulation

Chesnee Telephone Company

Chester Telephone Company, d/b/a TruVista

Comporium, Inc. (f/k/a Rock Hill Telephone Company)

Farmers Telephone Cooperative, Inc.

Ft. Mill Telephone Company, d/b/a Comporium

Home Telephone ILEC, LLC d/b/a Home Telecom

Lancaster Telephone Company, d/b/a Comporium

Lockhart Telephone Company, d/b/a TruVista

McClellanville Telephone Company (TDS)

Norway Telephone Company (TDS)

Palmetto Rural Telephone Cooperative, Inc.

Piedmont Rural Telephone Cooperative, Inc.

PBT Telecom, d/b/a Comporium

Ridgeway Telephone Company, d/b/a TruVista

Sandhill Telephone Cooperative, Inc.

St. Stephen Telephone Company (TDS)

West Carolina Rural Telephone Cooperative, Inc.

Williston Telephone Company (TDS)

BEFORE

THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket No. 2016-249-C

Re:	Application of SBA DAS & Small Cells,)	
	LLC for a Certificate of Public)	
	Convenience and Necessity to Provide)	CERTIFICATE OF SERVICE
	Resold and Facilities-Based Local)	
	Exchange and Interexchange)	
	Telecommunications Service and for)	
	Flexible Regulation)	
	-	_)	

I, Margaret M. Fox, do hereby certify that I have this date served one (1) copy of the foregoing Stipulation upon the following parties of record by causing said copies to be deposited in the United States Mail, First Class, postage prepaid to:

John J. Pringle, Jr., Esquire Adams and Reese, LLP 1501 Main Street, 5th Floor Columbia, SC 29201 C. Lessie Hammonds, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, South Carolina 29201

Counsel for Applicant SBD DAS & Small Cells, LLC

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Columbia, South Carolina 29211

July 26, 2016 Columbia, South Carolina